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April 9, 2012

VIA ECF

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James Gatta, Esq.
Christina Posa, Esq.
Assistant United States Attorneys
United States Attorney's Office
Eastern District of New York
271 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Thomas Gioeli, *et al.*,
Case No. 08-cr-240 (S6) (BMC) (RER)

Dear Ms. Geddes, Mr. Gatta and Ms. Posa:

We are attorneys ,along with Carl J. Herman, Esq., for Thomas Gioeli in connection with the above matter. We are writing in advance of the anticipated cross-examination of Special Agent Scott Curtis. During the course of the trial, two cooperating witnesses have offered testimony that we believe is previously undisclosed in their 3500 materials. In anticipation of Agent Curtis's testimony, we would like the government to identify whether 3500 for these witnesses have made reference to the following and the location of such references:

A. Statements by Dino Calabro

1. Gioeli was involved in Calabro's loansharking business. Tr. 1437:1-18.
2. When Gioeli allegedly authorized the murder of Frank Marasa he said that it was "an eye for an eye." Tr. 1523:20 at 1524:7.

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3. Gioeli allegedly instructed Calabro to shoot a victim in the body first then "cap" him in the head. Tr. 1526: 3-13.
4. Gioeli allegedly kissed Calabro and McLaughlin the day after the Marasa shooting to congratulate them. Tr. 1526:17-23.
5. Gioeli and Calabro allegedly conferred with Billy Russo at the bowling alley after the burial of Carmine Gargano. Tr. 1559:13-16.
6. Calabro gave instructions to drop off Greaves's Jeep at the airport. Tr. 1575:24-25.

B. Statements by Joseph Competiello

1. Competiello met at a bowling alley after burying Cutolo. Tr. 2191:4-7.
2. Gioeli allegedly met Competiello at a church and told him he wanted out of "the Life." Tr. 2331:15-2332:3.
3. Competiello was told by Joseph Miccio that Eric Curcio would "shine his star" with Gioeli. Tr. 2536:7-12.
4. Gioeli was partners with Calabro and Competiello in the McDonald Ave chop shop. Tr. 2332:4-2333:13.

We thank you in advance with your help in connection with this matter.

Very truly yours,



Adam D. Perlmutter

Cc: All counsel (via ECF)
Thomas Gioeli (via hand delivery)